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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,

13 v.

14 MARCO SOAREZ,
15
16 Defendant.

)
) No. CR 11-0344 SBA

)
) STIPULATION AND
) ORDER CONTINUING CHANGE OF
) PLEA DATE; EXCLUSION OF TIME
)

17 **STIPULATION**

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of
19 plea with respect to Marco Soarez, currently scheduled for Friday, May 11, 2012, at 10:00 a.m.
20 before Honorable Sandra Brown Armstrong, may be continued to Wednesday, June 6, 2012, at
21 10:00 a.m. for change of plea. The reason is that defense counsel is continuing it's investigation. A
22 continuance to June 6, 2012, will allow counsel to complete it's investigation, meet with Mr. Soarez
23 and prepare for the change of plea.
24

25 IT IS FURTHER STIPULATED THAT the time from May 11, 2012, to June 6, 2012, should
26 be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§

1 3161(h)(7)(B)(iv) for effective preparation of counsel taking into consideration due diligence so
2 counsel can complete the investigation, meet with Mr. Soarez and prepare for the change of plea.

3 DATED: 5/9/12

4 /s/
JOYCE LEAVITT
Assistant Federal Public Defender

5
6 DATED: 5/9/12

7 /s/
MAUREEN C. ONYEAGBAKO
Special Assistant United States Attorney

8 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
9 conformed signature (/s/) within this e-filed document.


10 **ORDER**

11 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea, currently
12 scheduled for Friday, May 11, 2012, at 10:00 a.m. before Honorable Saundra Brown Armstrong, is
13 hereby continued to Wednesday, June 6, 2012, at 10:00 a.m. for change of plea.

14 IT IS FURTHER ORDERED that the time from May 11, 2012, to June 6, 2012, is excluded in
15 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for
16 effective preparation of counsel taking into consideration due diligence so counsel can complete it's
17 investigation, meet with Mr. Soarez and prepare for the change of plea. The Court finds there is
18 good cause and that the ends of justice served by the granting of the continuance outweigh the best
19 interests of the public and the defendant in a speedy and public trial. Failure to grant the requested
20 continuance would unreasonably deny counsel reasonable time necessary for effective preparation,
21 taking into account due diligence.
22

23
24 SO ORDERED.

25 DATED: 5-9-12

26 
HON. SAUNDRA BROWN ARMSTRONG
United States District Judge